

REMARKS

In the Bruggenolte structure, it appears that once the torque transmission is interrupted, it is never reestablished. When the cap is screwed on tightly, and is continued in its rotation, the dotted spring arm (shown in Fig. 1) is released from the dotted notch (also shown in Fig. 1). As the cap is continued in its rotation, there is no drive to further compress the seal and this occurs regardless of how many times the cap is turned. As the cap is turned, the releasing device slides on the skewed cams 38 and force the magnet carrier 30 downward against the force of the springs 34. Col. 3 lines 15-26. In that same column starting at line 26 it is indicated that if the cap is turned further, the magnetic carrier under the action of the spring rebounds up so that it assumes the position at rest shown in Fig. 2. In this position the magnet is further removed from the solenoid 42. If the magnet switch previously was closed, it remains closed because of the magnetic remanence in the closed state. Col. 3, lines 30-34. Claim 1 requires “a torque limiter signaler ... to disable TEMPORARILY transmission of torque ... from the handle to the closure...” Bruggenolte provides no “temporarily” disablement of torque. Once disabled there is no reconnection. Claim 1 also requires a “driver coupled to the handle to rotate therewith and contact the first driver receiver in the driver engaged position during rotation of the handle about the axis of rotation in the cap advancing direction to cause the closure to rotate about the axis of rotation...” The claim further requires “a second drive receiver coupled to the closure and located to contact the driver when the first drive receiver is maintained in the driver disengaged position and after limited lost motion rotation of the handle relative to the closure...” The driver (dotted spring in Fig. 1) never contacts a second receiver. There is no second receiver in Bruggenolte. If the Examiner is referencing the magnetic switch mechanism, the driver for the magnetic switch doesn't cause the closure to rotate about the axis of the rotation as recited and further retains its position after the cap returns to the Fig. 2 configuration as referenced supra. Accordingly, Bruggenolte does not anticipate claim 1.

Claim 19 requires “signal means for producing limited lost-motion movement of the handle.” There is no limited lost-motion in the Bruggenolte cap. The handle continues to rotate as long as it is being turned. Once disconnected by the spring arm, there is no different signal provided. Further, the claim requires “a driver coupled to the handle (the dotted spring) a movable drive receiver coupled to the closure for movement between a driver engaged position and a driver disengaged position.” The moveable drive receiver is thus the slot shown in dotted configuration in guiding bush 28. However, claim 19 also requires “a

fixed drive receiver coupled to the closure and located to engage the driver upon movement of a moveable drive receiver to the driver disengaged position. There is no other member disclosed that contacts the spring shown in dotted configuration in Fig. 1 to provide for a fixed drive receiver as recited. Further note that the claim 19 references that the handle movement relative to the closure is through a predetermined acute angle. There is no such acute angle in the applied reference. For the above reasons, reconsideration of the anticipation rejection of claim 19 is requested.

Claim 23 is similar to 19 in that it also describes the predetermined acute angle, a limited loss-motion signal, and the claim also references a torque transmission member positioned to lie between the handle and the closure base which would be the dotted spring. The claim further requires a driver coupled to the handle and a moveable drive receiver coupled to the torque transmission member. No such structure can be found in the reference to Bruggenolte. Further, there is no rotary spring which is also coupled to the handle and to the torque transmission member and biased yieldably to urge the handle to rotate through a predetermined acute angle relative to the closure whenever a person rotating the handle in the cap advancing direction releases the handle during cap installation after receiving the limited lost-motion signal. Accordingly, reconsideration of the anticipation rejection of claim 23 is requested.

Claim 26 requires a "torque limit signal coupled to the handle and to the closure... for temporarily interrupting a driving connection..." This can only be read on the spring arm and slot shown in dotted configure in Fig. 1. There is no "limited lost-motion signal" upon rotating the handle after the first disconnect occurs. And thus there is no "reestablishing the driving connection between the handle and the closure after the handle has been rotated through the predetermined acute angle to discontinue provision of the limited lost-motion signal to the user." Continued rotation of the cap does not cause the closure to reengage especially through an acute angle lost-motion connection. Accordingly, reconsideration of this anticipation rejection is requested.

The indicated allowability of claims 2-18, 20-22, 24 and 25 is noted. However, these claims have not been rewritten in independent form since their parent claims are believed to be allowable as explained supra.

It is respectfully requested that, if necessary to effect a timely response, this paper be considered as a Petition for an Extension of Time sufficient to effect a timely response and shortages in any fees be charged, or overpayment in any fees be credited, to the Account of Barnes & Thornburg, Deposit Account No. 10-0435 (3177-38838).

Respectfully submitted,
BARNES & THORNBURG



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